

Order 98-5-5
Served: May 8, 1998



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation
on the 4th day of May, 1998

Applications of

AIR CHINA INTERNATIONAL CORPORATION
ALL NIPPON AIRWAYS CO., LTD.

COMPANIA PANAMENA DE AVIACION S.A.
EVA AIRWAYS CORPORATION
FLORIDA CARGO EXPRESS, LTDA.
INTERAMERICANA DE AVIACION, C.A.

ISLAND AIR LTD.

JAPAN AIRLINES COMPANY, LTD.

NICARAGUENSE DE AVIACION S.A. ("NICA")

NIPPON CARGO AIRLINES CO., LTD.

OASIS INTERNATIONAL AIRLINES, S.A.
VIRGIN ATLANTIC AIRWAYS LIMITED

for permits, exemptions or other authorities under
Title 49 of the United States Code

Dockets 45999
49901
47718
OST-95-437 (47404)
OST-97-2529
OST-95-335
OST-96-994
47778
OST-95-446 (47477)
45145
45144
OST-95-558 (49132)
OST-95-553 (49131)
OST-96-1307
OST-95-973
OST-95-972
OST-95-464
44055
41215
OST-96-1513
OST-96-1085
OST-95-480
47387
44496
48897
OST-96-1040
OST-95-924

ORDER DISMISSING APPLICATIONS

The carriers listed above have applied for various forms of authority or relief under Title 49 of the United States Code in order to perform the air transportation activities described in the appendix to this order. Each application has either been withdrawn by the applicant or otherwise become moot. Therefore, we find that these applications should be dismissed.

ACCORDINGLY, acting under authority assigned by the Department in its Regulations, 14 CFR § 385.13, we dismiss the applications described in the appendix to this order.

Persons entitled to petition for review of this order under the Department's Regulations, 14 CFR §385.50, may file their petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Department of Transportation upon expiration of the above period unless within such period a petition for Department review is filed or the Department gives notice that it will review this order on its own motion.

The filing of a petition for review with respect to one of the dismissed items will not alter the effectiveness of this order with respect to the others.

By:

PAUL L. GRETCH
Director
Office of International Aviation

(SEAL)

*An electronic version of this document is available on the World Wide Web at
<http://www.dms.dot.gov/general/orders/aviation.html>*

Docket	Description of Application
45999	<u>Air China International Corporation</u> , filed February 2, 1990. Renew exemption, granted February 9, 1989, and confirmed by Order 89-11-32, to engage in charter foreign air transportation between the People's Republic of China and the United States; and other charters in accordance with the Department's rules. By Order 92-11-
7, we	issued Air China an amended foreign air carrier permit which encompasses the authority at issue here. The request of Air
China in	Docket 45999 is therefore moot.
49901	<u>All Nippon Airways Co., Ltd.</u> , filed November 15, 1994. Amend foreign air carrier permit, issued by Order 87-11-27, to authorize All Nippon Airways (ANA) to engage in scheduled foreign air transportation of persons, property and mail between Osaka, Japan, and Guam. By Order 98-4-17, we issued ANA an amended foreign air carrier permit which encompasses the authority at issue here. The request of ANA in Docket 49901 is therefore moot.
47718	<u>All Nippon Airways Co., Ltd.</u> , filed August 26, 1991. Amend foreign air carrier permit, issued by Order 87-11-27, to authorize All Nippon Airways (ANA) to engage in scheduled foreign air transportation of persons, property and mail between Nagoya, Japan, and Honolulu, Hawaii. By Order 98-4-17, we issued ANA an amended foreign air carrier permit which encompasses the authority at issue here. The request of ANA in Docket 47718 is therefore moot.
OST-95-437 (47404)	<u>All Nippon Airways Co., Ltd.</u> , filed December 26, 1995. Amend foreign air carrier permit, issued by Order 87-11-27, to authorize All Nippon Airways (ANA) to engage in scheduled foreign air transportation of persons, property and mail between Tokyo, Japan, and New York, New York. By Order 98-4-17, we issued ANA an amended foreign air carrier permit which encompasses the authority at issue here. The request of ANA in Docket 47404 is therefore moot.

Docket	Description of Application
OST-97-2529	<u>Compania Panamena de Aviacion S.A.</u> , filed May 16, 1997. Renew exemption, last granted by <u>Notice of Action Taken</u> , dated June 6, 1996, to conduct scheduled foreign air transportation of persons, property and mail between Panama City, Panama, and San Juan, Puerto Rico, via Santo Domingo, Dominican Republic. By <u>Notice of Action Taken</u> , dated February 19, 1998, and confirmed by Order 98-3-16, we granted Compania Panamena de Aviacion (COPA) exemption authority which encompasses the authority requested by COPA in Docket OST-97-2529. The request of COPA in Docket OST-97-2529 is therefore moot.
OST-95-335	<u>Eva Airways Corporation</u> , July 20, 1995. Amend foreign air carrier permit, issued by Order 91-9-32, to authorize Eva Airways to engage in scheduled foreign air transportation of persons, property and mail beyond Eva Airways' currently authorized U.S. points to Panama City, Panama. By Order 98-2-30, we issued Eva Airways an amended foreign air carrier permit which encompasses the authority at issue here. The request of Eva Airways in Docket OST-95-335 is therefore moot.
OST-96-994	<u>Florida Cargo Express, Ltda.</u> , filed January 11, 1996. Renew exemption, last granted January 10, 1995, and confirmed by Order 95-3-7, to engage in scheduled foreign air transportation of property and mail between points in Bolivia and Miami, Florida. Information available to the Department indicates that Florida Cargo Express has no plans to prosecute this application.
47778	<u>Interamericana de Aviacion, C.A.</u> , filed October 3, 1991. Exemption authority to serve Bogota, Colombia, as an intermediate point on its authorized all-cargo services between Caracas, Venezuela, and Miami, Florida. Information available to the Department indicates that Interamericana has no plans to prosecute this application.
OST-95-446 (47477)	<u>Interamericana de Aviacion, C.A.</u> , filed March 25, 1991, amended April 18, 1991. Exemption authority to serve Trinidad and Barbados as intermediate points on its authorized all-cargo services between

	Caracas, Venezuela, and Miami, Florida. Information available to the Department indicates that Interamericana has no plans to prosecute this application.
45145	<u>Interamericana de Aviacion, C.A.</u> , filed October 11, 1988. Renew exemption, granted October 13, 1987, and confirmed by Order 88-7-7, to conduct nonscheduled, including charter, all-cargo foreign air transportation between Venezuela and Miami, Florida, via intermediate points. Information available to the Department indicates that Interamericana has no plans to prosecute this application.
45144	<u>Interamericana de Aviacion, C.A.</u> , filed September 18, 1987. Foreign air carrier permit to engage in nonscheduled and charter foreign air transportation of property and mail between Venezuela and Miami, Florida, via intermediate points. Information available to the Department indicates that Interamericana has no plans to prosecute this application.
OST-95-558 (49132)	<u>Island Air Ltd.</u> , filed September 16, 1993. Foreign air carrier permit to engage in charter foreign air transportation of persons and property between the Cayman Islands and the United States. Information available to the Department indicates that Island Air has no plans to prosecute this application.
OST-95-553 (49131)	<u>Island Air Ltd.</u> , filed September 16, 1993. Exemption authority to engage in charter foreign air transportation of persons and property between the Cayman Islands and the United States. Information available to the Department indicates that Island Air has no plans to prosecute this application.
OST-96-1307	<u>Japan Airlines Company, Ltd.</u> , filed April 14, 1997. Renew exemption, last granted May 15, 1996, and confirmed by Order 96-6-27, to (1) conduct its authorized all-cargo services to or from any point or points in Japan, and (2) coterminimize all the U.S. points for which the carrier holds Department authority to conduct all-cargo

services. By Order 98-4-17, we issued Japan Airlines (JAL) an amended foreign air carrier permit which encompasses the authority at issue here. The request of JAL in Docket OST-96-1307 is therefore moot.

- OST-95-973 Japan Airlines Company, Ltd., filed December 26, 1995. Amend foreign air carrier permit, issued by Order 70-8-66, to authorize Japan Airlines (JAL) to engage in scheduled foreign air transportation of persons, property and mail between Tokyo, Japan, and Kona, Hawaii. By Order 98-4-17, we issued JAL an amended foreign air carrier permit which encompasses the authority at issue here. The request of JAL in Docket OST-95-973 is therefore moot.
- OST-95-972 Japan Airlines Company, Ltd., filed December 26, 1995. Amend foreign air carrier permit, issued by Order 70-8-66, to authorize Japan Airlines (JAL) to engage in scheduled foreign air transportation of persons, property and mail between Sendai, Japan, and Honolulu, Hawaii. By Order 98-4-17, we issued JAL an amended foreign air carrier permit which encompasses the authority at issue here. The request of JAL in Docket OST-95-972 is therefore moot.
- OST-95-464 Japan Airlines Company, Ltd., filed April 30, 1991, as amended. Amend foreign air carrier permit, issued by Order 70-8-66, to authorize Japan Airlines (JAL) to engage in scheduled foreign air transportation of persons, property and mail between Tokyo, Japan, and Washington, D.C.; Chicago, Illinois; and Atlanta, Georgia. By Order 98-4-17, we issued JAL an amended foreign air carrier permit which encompasses the authority at issue here. The request of JAL in Docket OST-95-464 is therefore moot.
- 44055 Japan Airlines Company, Ltd., filed May 23, 1986. Amend foreign air carrier permit, issued by Order 70-8-66, to authorize Japan Airlines (JAL) to engage in scheduled foreign air transportation of persons, property and mail between Tokyo, Japan, and Atlanta, Georgia. By Order 98-4-17, we issued JAL an amended foreign air

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carrier permit which encompasses the authority at issue here. The request of JAL in Docket 44055 is therefore moot.

41215

Japan Airlines Company, Ltd., filed January 7, 1983. Amend foreign air carrier permit, issued by Order 70-8-66, to authorize Japan Airlines (JAL) to engage in scheduled foreign air transportation of persons, property and mail between Tokyo, Japan, and Chicago, Illinois; and between Tokyo, Japan, and Sao Paulo/Rio de Janeiro, Brazil, via Los Angeles, California. By Order 98-4-17, we issued JAL an amended foreign air carrier permit which encompasses the authority at issue here. The request of JAL in Docket 41215 is therefore moot.

OST-96-1513

Nicaraguense de Aviacion, S.A., filed July 8, 1996. Exemption to engage in scheduled foreign air transportation between Nicaragua and points in the United States, Canada, Europe and Japan. By Notice of Action Taken, dated February 19, 1998, in Docket OST-97-2678, we granted Nicaraguense de Aviacion (NICA) exemption authority which encompasses the authority requested by NICA in Docket OST-96-1513. The request of NICA in Docket OST-96-1513 is therefore moot.

OST-96-1085

Nicaraguense de Aviacion, S.A., filed February 16, 1996. Exemption to engage in scheduled foreign air transportation of persons, property and mail between Nicaragua and New York, New York, and to serve New York as a coterminal point on its authorized Nicaragua-Miami service. By Notice of Action Taken, dated February 19, 1998, in Docket OST-97-2678, we granted Nicaraguense de Aviacion (NICA) exemption authority which encompasses the authority requested by NICA in Docket OST-96-1085. The request of NICA in Docket OST-96-1085 is therefore moot.

OST-95-480

Nicaraguense de Aviacion, S.A., filed June 2, 1993. Renew exemption, last granted June 19, 1992, and confirmed by Order 92-7-6, to conduct scheduled foreign air transportation of persons,

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property and mail between Managua, Nicaragua, and Miami, Florida. By Notice of Action Taken, dated February 19, 1998, in Docket OST-97-2678, we granted Nicaraguense de Aviacion (NICA) exemption authority which encompasses the authority requested by NICA in Docket OST-95-480. The request of NICA in Docket OST-95-480 is therefore moot.

- 47387 Nippon Cargo Airlines Co., Ltd., filed January 28, 1991. Amend foreign air carrier permit, issued by Order 90-4-4, to authorize Nippon Cargo Airlines (NCA) to engage in charter foreign air transportation of property and mail between Tokyo, Japan, and Los Angeles, California and Chicago, Illinois. By Order 98-4-17, we issued NCA an amended foreign air carrier permit which encompasses the authority at issue here. The request of NCA in Docket 47387 is therefore moot.
- 44496 Nippon Cargo Airlines Co., Ltd., filed November 14, 1986. Amend foreign air carrier permit, issued by Order 86-3-42, to authorize Nippon Cargo Airlines (NCA) to engage in charter foreign air transportation of property and mail between Japan and the United States. By Order 98-4-17, we issued NCA an amended foreign air carrier permit which encompasses the authority at issue here. The request of NCA in Docket 44496 is therefore moot.
- 48897 Oasis International Airlines, S.A., filed June 25, 1993. Initial foreign air carrier permit to engage in charter foreign air transportation of persons, property and mail between Spain and the United States. Information available to the Department indicates that Oasis International has no plans to prosecute this application.
- OST-96-1040 Virgin Atlantic Airways Limited, filed January 30, 1997. Renew exemption, last granted February 15, 1996, and confirmed by Order 96-2-54, to conduct scheduled foreign air transportation of persons, property and mail between London, England, and San Francisco, California. By Order 98-2-30, we issued Virgin Atlantic an

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amended foreign air carrier permit which encompasses the authority at issue here. The request of Virgin Atlantic in docket OST-96-1040 is therefore moot.

Virgin Atlantic Airways Limited, filed January 30, 1997. Renew exemption, last granted February 14, 1996, and confirmed by Order 96-2-54, to conduct scheduled foreign air transportation of persons, property and mail between London, England, and Washington, D.C., and between Manchester, England and Orlando, Florida. By Order 98-2-30, we issued Virgin Atlantic an amended foreign air carrier permit which encompasses the authority at issue here. The request of Virgin Atlantic in Docket OST-95-924 is therefore moot.